

Minutes of a Regular City Council Meeting held May 10, 1982

PRESENT:

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| Grant S. Nielson | Mayor |
| Max Bennett | Council Member |
| Don Bird | Council Member |
| Don Dafoe | Council Member |
| Ruth Hansen | Council Member |

ABSENT:

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| Willis Morrison | Council Member |
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OTHERS PRESENT:

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| Vance Bishop | City Administrator |
| Warren Peterson | City Attorney |
| Dorothy Jeffery | City Recorder |
| Neil Forster | Public Works Superintendent |
| John Quick | City Engineer |
| Pat Davies | City Clerk |

Mayor Nielson called the meeting to order at 8:00 p.m.
Dorothy Jeffery, acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by hand delivery copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a regular City Council meeting held May 3, 1982 were presented to the Council. Councilman Max Bennett MOVED to accept the minutes as corrected. Council Member Ruth Hansen SECONDED the motion which carried unanimously.

ACCOUNTS PAYABLE

The accounts payable were presented to the Council by Dorothy Jeffery. After discussion on water assessments and return to the City through rents, Councilman Don Bird MOVED to pay the current bills. Councilman Max Bennett SECONDED the motion which carried unanimously.

PARTIAL PAYMENT OF SEWER PROJECT

City Engineer John Quick reviewed for City Council a request from Hurricane Sand & Gravel for partial payment of work completed on Phase I of the sewer project. Mr. Quick stated that he has found the request consistant with the amount of work completed and the materials which are

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on site and recommends payment to Hurricane Sand & Gravel as soon as their insurance is in order. City Administrator Vance Bishop submitted the engineering bill for the sewer system design from Bush & Gudgell. The amount is \$26,000.00. After discussion on the matter, Councilman Don Bird MOVED to pay Hurricane Sand & Gravel \$91,168.22, subject to their insurance being in order. He further moved that Bush & Gudgell be paid immediately. Council Member Hansen SECONDED the motion which carried in the affirmative.

POLICE RECOMMENDATION ON CITY CURFEW

Delta City Chief of Police Roy Wood stated to the Council that he recommends changing Section 13-313 of the Revised Code of Ordinances to make the age of persons subject to curfew at 18 rather than 16. There was discussion on juvenile problems, hours when some school functions end and the increase in burglaries and prowler calls. Chief Wood mentioned that there has been an increase in alcohol abuse, but that this is not necessarily juvenile related. During the discussion, Council Members expressed a desire to study the issue before making a decision. Councilman Don Bird MOVED to table the request for one week for further research into the subject. Councilman Bennett SECONDED the motion which carried unanimously.

NATIONAL LANDMARK REQUEST FOR A ZONE CHANGE

Mayor Grant Nielson read a recommendation from the Planning and Zoning Commission to change the future land use map and to accept a zone change request from National Landmark Development to change from R-2 to R-4 on Lots 2 and 3 of Block 33. The Mayor mentioned that one citizen, Ralph Stoneking had been in attendance at a Public Hearing concerning this request. Mr. Stoneking went on record as being opposed to allowing more multiple family dwellings in his area. Dorothy Jeffery stated to the Council that Mr. Orvil Jeffery had called the City Office to voice his opinion that the request of National Landmark Development Co. should be approved. Mr. Jeffery is one of the principal land owners in the area under consideration. In response to a question, Attorney Warren Peterson stated that National Landmark Development had made no contact with his office concerning this zone change request or the annexation petition. There was discussion on spot zoning and down zoning. Councilman Bennett MOVED to approve the requested change in the future land use map and to approve the requested zone change. The motion died for lack of a second. After further discussion, Councilman Bird MOVED to deny the request of National Landmark Development. The motion was SECONDED by Council Member Ruth Hansen. The motion carried with Councilman Bennett dissenting.

MUNICIPAL SERVICE LIEN LINE

Council Members joined in a discussion with the City Administrator and City Attorney on the following:

1. Line reimbursement.
2. Connection fee schedule.

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3. Capital improvements fund.
4. Oversizing lines for future needs.
5. Utah Supreme court decision on impact fees.

There was further discussion on approving extension agreements. It was determined that the City Administrator should handle the extension agreements. Councilman Don Bird MOVED to adopt the lien line agreement with the added provision that the application form should state that if the applicant does not agree with the decision on up-sizing of the lines by the City Administrator or the Mayor, the applicant may request to negotiate with the City Council. Councilman Bennett SECONDED the motion which carried unanimously.

RECREATION VEHICLE PARKING PROBLEM

City Administrator Vance Bishop told Council Members that the City has a problem with recreational vehicles being parked illegally. He said that if the vehicles are parked at a business, the business license can be revoked. He mentioned the difficulties in enforcing Ordinance 81-11 G9 paragraphs 1 and 2. There was discussion on the need for approved places for campers, 5th wheelers and trailers to be parked. Recreational vehicles are presently allowed in Highway Commercial and Mobile Home zones. Mr. Bishop was asked by the Council to write some Recreational Vehicle park standards. Council Member Hansen MOVED that an emergency amendment be prepared to the zoning ordinance and mobile home ordinance allowing recreational vehicles to be located in approved mobile home parks on a temporary basis and providing additional enforcement powers against location of recreational vehicles outside of approved areas. She further moved that the public hearing be set at the earliest possible date and that the Planning and Zoning Commission be asked to give their recommendation on the proposed ordinance amendments. Councilman Dafoe SECONDED the motion which passed unanimously.

IMPACT ALLEVIATION

City Administrator Vance Bishop voiced some of his concerns to the City Council regarding the City budget and audit by IPA. Mr. Bishop stated that State statues allow the City to enter into alleviation agreement with IPA and that IPA is required to mitigate impact, but budget decisions should rest with the governing body of the City - not the IPA Board of Directors. He said that although it is proper for IPA to examine the City audit, it doesn't seem appropriate for one entity to audit another. Each Council Member voiced support to the Administrator to establish a workable procedure to replace Impact Alleviation #6.

OTHER BUSINESS

The Mayor stated that Archie Barben asked for permission for his son-in-law to sell fireworks in the City. Mayor Nielson said the he would check the City Ordinances.

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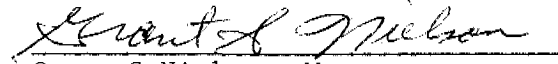
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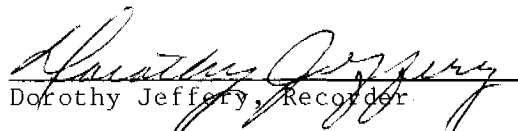
Attorney Peterson reported that the Chief of Police, the Mayor and he had met and discussed the Nuisance Ordinance. The Ordinances state that cars parked on City streets for more than 48 hours can be impounded by City Police. Mr. Peterson said that after Chief Wood serves notices, if the land owner or occupant does not respond, the City crew will clean up the problem sited and the property owners will be sent itemized bills. If the bills are not paid, the clean-up will be charged on their tax bill or collected through court action.

Councilman Dafoe mentioned that this year the 4th of July is on Sunday. After discussion, it was decided to have the City 4th of July celebration on Saturday and Monday.

Council Member Hansen requested that action be taken on the problem of trucks parking on the corner by the park. Superintendent Forster said that he would take care of the problem with no parking signs or painted lines on the curb.

Councilman Don Dafoe MOVED to adjourn the meeting and Councilwoman Ruth Hansen SECONDED the motion. The vote was unanimous. The Mayor adjourned the meeting at 11:15 p.m.


Grant S Nielson, Mayor


Dorothy Jeffery, Recorder

Minutes of a Public Bid Opening held May 24, 1982 at the Millard County School District Offices.

PRESENT:

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| Grant S Nielson | Mayor |
| Willis Morrison | Council Member |
| Ruth Hansen | Council Member |
| Don Dafoe | Council Member |

ABSENT:

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| Max Bennett | Council Member |
| Don Bird | Council Member |

OTHERS PRESENT:

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| Vance Bishop | City Administrator |
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